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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/708,081	11/08/2000	Hiroshi Tanaka	0879-0286P	9588
2292	7590	01/26/2007		EXAMINER
BIRCH STEWART KOLASCH & BIRCH				SELBY, GEVELL V
PO BOX 747			ART UNIT	PAPER NUMBER
FALLS CHURCH, VA 22040-0747				2622
SHORTENED STATUTORY PERIOD OF RESPONSE		NOTIFICATION DATE		DELIVERY MODE
3 MONTHS		01/26/2007		ELECTRONIC

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mailto:mailroom@bskb.com

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/708,081	TANAKA ET AL.
Examiner	Art Unit	
Gevell Selby	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
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- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 13 November 2006.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-3,6,10,13,14,16,17,19 and 20 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,10,13,14 and 19 is/are rejected.
- 7) Claim(s) 2,3,6,16,17 and 20 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Arguments***

1. The applicant submits the prior art does not disclose the following limitations of the claimed invention:

the non-communicating purpose component being disposed where the non-communication purpose component is not unconsciously touched by a user during a picture taking operation, as stated in claim 1;

wherein, each member of the group being disposed where said each member is not unconsciously touched by a user during a picture taking operation, as stated in claim 14. The examiner respectfully disagrees.

Examiner's reply:

Re claim 1) The combination Mack and Hanaoka discloses a camera wherein the non-communication purpose component, the strap of Mack function as an strap antenna is disposed where said each member is not unconsciously touched by a user during a picture taking operation, because the strap has a distinctive shape the user is conscious of when touch and the user would also be conscious of the strap touching their head because they put it there as well as being able to feel it.

Re claim 14) The Yamagishi reference discloses lens tube 300, wherein the lens tube is not unconsciously touched by a user during a picture taking operation, because the lens tube has a distinctive shape and size recognized by the user making he/she conscious that the lens tube was touched.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mack II et al., US 6,510,325, in view of Hanaoka, US 5,757,332.**

In regard to claim 1, Mack II et al., US 6,510,325, discloses a camera comprising:

a communication device (see figure 1a), accommodated inside the camera housing which allows radio communication with another unit (see column 2, lines 52-57); and

a non-communicating purpose component attached to the camera housing (see figure 5, element 26: strap), and it is inherent the strap of the Mack reference is disposed where said each member is not unconsciously touched by a user during a picture taking operation, because the strap has a distinctive shape the user is conscious of when touch and the user would also be conscious of the strap touching their head because they put it there as well as being able to feel it.

The Mack reference does not disclose said non-communicating purpose component being a conductive component insulated from the camera housing but not shielded electromagnetically, the non-communicating purpose component also serving as a radio antenna, operatively connected with said communication device and outputting and/or receiving radio waves to/from said another unit.

Hanaoka et al., US 5,757,332, discloses a communication device with a strap antenna (3) that serves as both a strap and an antenna wherein the conductive material for the antenna is insulated from the rest of the device in the strap (see figures 1-8 and abstract).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Mack II et al., US 6,510,325, in view of Hanaoka, US 5,757,332, to have the non-communicating purpose component being a conductive component insulated from the camera housing but not shielded electromagnetically, the non-communicating purpose component also serving as a radio antenna, operatively connected with said communication device and outputting and/or receiving radio waves to/from said another unit, in order to prevent unwanted interference from the radio frequency transmissions, while making the device more compact with fewer parts.

In regard to claim 13, Mack II et al., US 6,510,325, in view of Hanaoka, US 5,757,332, discloses the camera according to claim 1.

It is admitted prior art that it is well known in the art for a communication device to include a high frequency module connected to an antenna by a high frequency cable, in order to transmit data at the correct frequency so that the desired device may receive it is taken as prior art. The previous statement was taken as admitted prior art in the previous office action.

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Mack II et al., US 6,510,325, in view of

Hanaoka, US 5,757,332, to have a communication device to include a high frequency module connected to an antenna by a high frequency cable, in order to transmit data at the correct frequency so that the desired device may receive it.

**4. Claims 1, 10, 14, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamagishi, US 6,710,807, in view of Castell et al., US 6,717,801.**

In regard to claim 1, Yamagishi, US 6,710,807, discloses a camera comprising:  
a communication device (see figure 1, element 110), accommodated inside the camera housing which allows radio communication with another unit (see column 8, lines 52-55); and  
a non-communicating purpose component attached to the camera housing (see figure 1, element 300: lens unit), and it is implied that the lens barrel of the Yamagishi reference is not unconsciously touched by a user during a picture taking operation, because the lens tube has a distinctive shape and size recognized by the user making he/she conscious that the lens tube was touched.

The Yamagishi reference does not disclose said non-communicating purpose component being a conductive component insulated from the camera housing but not shielded electromagnetically, the non-communicating purpose component also serving as a radio antenna, operatively connected with said communication device and outputting and/or receiving radio waves to/from said another unit.

Castell et al., US 6,717,801, discloses a an PF antenna in an wireless network adapter that takes many forms, including the antenna may form a part of the outer shell of the adapter or it may form a part of a company logo located on the shell of the adapter,

which insulates the antenna, to double as an antenna and advertisement (see abstract and column 7, lines 28-47).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Yamagishi, US 6,710,807, in view of Castell et al., US 6,717,801, to have the non-communicating purpose component being a conductive component insulated from the camera housing but not shielded electromagnetically, the non-communicating purpose component also serving as a radio antenna, operatively connected with said communication device and outputting and/or receiving radio waves to/from said another unit, in order to prevent unwanted interference from the radio frequency transmissions, while making the device more compact with fewer parts.

In regard to claim 10, Yamagishi, US 6,710,807, in view of Castell et al., US 6,717,801, discloses the camera according to claim 1, wherein the non-communicating purpose component includes a lens tube for supporting a lens therein (see figure 1, element 300).

In regard to claims 14, Yamagishi, US 6,710,807, discloses a camera comprising:

at least one member, a lens tube for supporting the lens therein (see figure 1, element 300 and column 6, lines 15-16: the lens unit or tube attaches and detaches);

a communication device (see figure 1, element 110) which allows radio communication with other unit (see column 8, lines 52-55);

an antenna (see figure 1, element 112) connected to the communication device for outputting and/or receiving radio waves to/from said another unit (see figure 8, lines 56-60);

it is implied that the lens unit of the Yamagishi reference is not unconsciously touched by a user during a picture taking operation, because the lens tube has a distinctive shape and size recognized by the user making he/she conscious that the lens tube was touched.

The Yamagishi reference does not disclose that the at least one member is connected to said communication device as a radio antenna for outputting and/or receiving radio waves to/from another unit, the at least one member is formed by a conductive component insulated from a camera housing, but not electromagnetically shielded.

Castell et al., US 6,717,801, discloses a an PF antenna in an wireless network adapter that takes many forms, including the antenna may form a part of the outer shell of the adapter or it may form a part of a company logo located on the shell of the adapter, which insulates the antenna, to double as an antenna and advertisement (see abstract and column 7, lines 28-47).

It would have been obvious to one of ordinary skill in the art at the time of invention to have been motivated to modify Yamagishi, US 6,710,807, in view of Castell et al., US 6,717,801, to have an antenna molded into the lens unit, as the least one member, wherein the lens tube is connected to said communication device for outputting and/or receiving radio waves to/from another unit, the at least one member is formed by a

conductive component insulated from a camera housing, but not electromagnetically shielded, in order to prevent unwanted interference from the radio frequency transmissions and making the camera more compact.

In regard to claim 19, Yamagishi, US 6,710,807, in view of Castell et al., US 6,717,801, discloses the camera according to claim 14, wherein said at least one member is the lens tube (see figure 1, element 300).

***Allowable Subject Matter***

1. Claims 2, 3, 6, 16, 17, and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

2. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gevell Selby whose telephone number is 571-272-7369. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on 571-272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

gvs



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